

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILLIP BLACKWOOD,

Plaintiff,

-against-

OSSINING POLICE; POLICE OFFICER LUIS RINALDI; POLICE OFFICER PAVONE; POLICE OFFICER SAMTRUCHI,

Defendants.

20-CV-6231 (CM)

ORDER

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff Phillip Blackwood, currently held in the Westchester County Jail, proceeds *pro se*. On July 14, 2020, the Court received a complaint from Plaintiff asserting claims against the Ossining Police Department. *Blackwood v. Ossining Police Dep't*, ECF 1:20-CV-5435, 2. On August 6, 2020, the Court received another complaint from Plaintiff asserting claims against the Ossining Police Department and several individual Ossining Police Officers. The Clerk of Court opened Plaintiff's August 6, 2020 complaint as a new civil action and assigned it this case number, No. 20-CV-6231.

The Court has reviewed both complaints and concludes that they appear to arise from the same events and that the complaint in this action, No. 20-CV-6231, is best construed as an amended complaint in Plaintiff's action currently pending under case number 20-CV-5435.

The Clerk of Court is therefore directed to docket the complaint in this action (ECF No. 1) as an amended complaint in No. 20-CV-5435, and to administratively close this action, No. 20-CV-6231.

The Clerk of Court is directed not to charge Plaintiff the \$350.00 filing fee for this action, and the Warden or Superintendent having custody of Plaintiff is directed to suspend any previously authorized monetary deduction from Plaintiff's prison trust account for this lawsuit.

CONCLUSION

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

The Clerk of Court is further directed to docket the complaint in this action (ECF No. 1) as an amended complaint in No. 20-CV-5435.

The Clerk of Court is directed to administratively close this action.

The Clerk of Court is directed not to charge Plaintiff the \$350.00 filing fee for this action, and the Warden or Superintendent having custody of Plaintiff is directed to suspend any previously authorized monetary deduction from Plaintiff's prison trust account for this lawsuit.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: August 24, 2020
New York, New York



COLLEEN McMAHON
Chief United States District Judge